

REMARKS

**Rejection Summary**

Claims 1 – 9, 13, 15-20, 21, 22 and 26 are rejected under 35 U.S.C. § 102(b).

Claims 10 – 12 and 14 are rejected under 35 U.S.C. § 103(a).

Claim 1 has been objected to for informalities.

Applicant respectfully traverses all the outstanding rejections and requests reconsideration and withdrawal thereof in view of the amendments and following remarks.

**Amendments to the Claims**

Claims 1, has been amended to correct informalities.

Therefore no new matter has been added.

No amendment or argument was made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Reconsideration in view of the above amendments and the following remarks is respectfully requested.

### **Claim Rejections**

The Office Action rejects, under 35 U.S.C. § 102, claims 1 – 9, 13, 15-20, 21, 22 and 26 over Hinckley et al. U.S. Patent Application No. 2002/0167488 (Hinckley).

The Office Action also rejects, under 35 U.S.C. § 103, claims 10-12 and 14 over Hinckley et al. U.S. Patent Application No. 2002/0167488 (Hinckley) in view of Gordon (U.S. Patent No. 5,884,156) (Gordon).

The Office Action also rejects, under 35 U.S.C. § 103, claims 23-24 and 25 over Hinckley et al. U.S. Patent Application No. 2002/0167488 (Hinckley) in view of Wakamatsu (U.S. Patent No. 6,725,064) (Wakamatsu).

These rejections are respectfully traversed.

### **Claim Rejections under 35 U.S.C. §102 and 35 U.S.C. §103**

Independent claim 1, as amended provides, *inter alia* a subset of touch sensors of a plurality of touch sensors of the electronic device and correlating the subset of touch sensor contact information to a predetermined grip. Then determining an operational mode indicated by the correlated predetermined grip.

In contrast, the Hinckley, et al. patent does not describe or suggest a subset of sensors that are used to determine how the device is held/gripped. Nor does Hinckley disclose, suggest or teach transmitting a subset of touch sensors of a plurality of touch

sensors of the electronic device nor the correlating the subset of touch sensor contact information to a predetermined grip. Hinckley discloses touch sensors to indicate whether the device is being touched. (paragraph [0023]). This is simply not the same as correlating the subset of touch sensor contact information to a predetermined grip as recited in independent claim 1 to determine how the device is gripped.

Hinckley also fails to disclose determining an operational mode indicated by the correlated predetermined grip. Since Hinckley fails to disclose correlating the subset of touch sensor contact information to a predetermined grip, Hinckley further fails to disclose determining an operational mode indicated by the correlated predetermined grip.

Claims 18, 21 and 22, similarly provide for, *inter alia*, receiving information from subset of touch sensors for a plurality of touch sensors and determining a contact (or touch) pattern which corresponds to the subset of touch sensors. As discussed above Hinckley discloses touch sensors to indicate whether the device is simply being touched. (paragraph [0023]). This is not the same as determining a contact pattern which corresponds to the subset of touch sensors. Whether the device is touched is one thing, however how the device is touched/contacted can lead to plurality of implications. In addition independent claim 18 recites receiving contextual information at the device and determining a function operational in response to the position (as a result of the contact pattern) of the device and the received contextual information.

Thus, Hinckley fails to disclose, teach or suggest all of the features of independent claim 1 and similarly independent claims 18, 21 and 22.

In regard to claims 10 – 12 and 14, as discussed above, Hinckley does not disclose all of the features of independent claim 1. Claims 10- 12 and 14 depend from independent claim 1 and are therefore also in condition for allowance.

Similarly in regard to claims 23, 24 and 25, as discussed above, Hinckley does not disclose all of the features of independent claim 18 or independent claim 22. Claims 23, 24 and 25 depend from independent claim 1 and are therefore also in condition for allowance.

Therefore, Applicants respectfully submit that independent claims 1, 18, 21 and 22 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103.

### CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Respectfully submitted,

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